



The State of New Hampshire
Department of Environmental Services

Michael P. Nolin
Commissioner



Henry G. Carnevale Estate
c/o Kathleen S. Gallagher, Executor
7 Jennifer Drive
Concord, NH 03301

Re: Property at Route 114/Main Street
Sutton, NH

**PARTIAL RELEASE OF RECORDATION
FOR
ADMINISTRATIVE ORDER No. WMD 98-03
AND
RELATED SETTLEMENT AGREEMENT**

May 26, 2006

The Department of Environmental Services, Waste Management Division ("DES") issued Administrative Order No. WMD 98-03, dated January 13, 1998 ("Order") to Henry G. Carnevale and Josephine Carnevale based on violations of RSA 149-M and the New Hampshire Solid Waste Rules (as then in effect) on property identified on the Town of Sutton Tax Maps as Map 6, Lot 449, 072 ("Property"). The Order was recorded at the Merrimack County Registry of Deeds at Book 2119, Page 593. Subsequently, Josephine Carnevale conveyed her interest in the Property to Mr. Carnevale. To resolve Mr. Carnevale's appeal of the Order, DES and Mr. Carnevale entered into a Settlement Agreement dated August 8, 1998, which was recorded at the Merrimack County Registry of Deeds at Book 2119, Page 595. By subdivision plan entitled "Subdivision Plan, Heirs of Henry G. Carnevale, Main Street and NH Route 114, Sutton, New Hampshire" dated April 11, 2006 by Landmark Land Services, LLC ("Plan"), recorded April 12, 2006 at the Merrimack County Registry of Deeds at Document #17826, the Property was subdivided into Lot 1 and Lot 2 as shown on the Plan.

Pursuant to a request related to a pending sale and in consideration of partial fulfillment of certain remedial requirements and the escrow of funds to complete the remediation, DES hereby releases Lot 2 from the Order and Settlement Agreement. This Partial Release of Recordation may be used to relieve any encumbrance on Lot 2 as shown on the Plan that was imposed by the recordation of the Order and Settlement Agreement.

Lot 1, as shown on the Plan, remains subject to the provisions of the Order and Settlement Agreement.

COPY
Anthony P. Giunta, P.G., Director
DES Waste Management Division

COPY
Michael P. Nolin, Commissioner

cc: Gretchen Hamel, Legal Unit Administrator
Anthony I. Blenkinsop, NHDOJ